

REMARKS

Claims 26 and 33 are amended. Claims 54 and 55 are added. Claims 26-37 and 48-55 are in the application for consideration.

The undersigned appreciates the courtesy extended in allowing the interview on March 4, 2003 with Yennhu Huynh and Carl Whitehead. The following summarizes the substance of that interview, and this amendment is filed in light of that interview.

The content of Applicant's RCE Response filed on February 19, 2003 was discussed in detail. Further, the undersigned was questioned whether Lane et al.'s array area 42 was the equivalent of the claim recited "well". The undersigned pointed out that this was not so, as Applicant's recited "well" in claims 26 and 33 was stated to be formed within an "insulative layer" and that Lane et al.'s array area 42 was not so formed. In the context of Applicant's disclosure and claims, Applicant's use of the term "well" is clearly directed to some indentation or cavity formed/defined in an insulative layer, and array area 42 in Lane et al. clearly is not such.

Independent claims 26 and 33 as presented in the February 19, 2003 RCE filing were initially discussed in light of the Examiners' interpretation that openings 62/64 or openings 46/50 could respectively be considered as a "big opening" as stated in the last office action. Assuming so, it was agreed that claims 26 and 33 as presented in the February 19, 2003 RCE filing patentably

distinguished over Lane et al. for the reasons stated in Applicant's February 19, 2003 RCE Response.

However upon reflection since the February 19, 2003 RCE filing, the undersigned argued that the "big opening" conclusion was not accurate in a real-world sense, and that claims 26 and 33 had not needed to be amended as respects "spaced" to patentably define over Lane et al. Specifically, the conclusion of 62 and 64 (or 46 and 50) as constituting a single opening could only be true in a 2-dimensional universe, or only on the respective pages of the patents in which 62, 64, 46 and 50 appear. However, we live in a universe of at least 3-dimensions, and it is in that universe which openings 46, 50, 62 and 64 would exist. The Lane et al. openings to which the Examiners refer are capacitor storage node openings. In three dimensional space, the individual openings 62 and 64 are separate and isolated from one another. For example looking from above (a top-down view), such would clearly be understood by a person of skill in the art to respectively constitute self/fully enclosed individual openings. If this were not so, the individual capacitor storage nodes of Lane et al. would be touching, thereby shorting and not forming operable circuitry. Accordingly in 3-dimensional space, there is no continuous periphery collectively encompassing openings 62 and 64 which the undersigned asserts would be required to support the Examiners' assertion that 62 and 64 can together be considered as a SINGLE opening in 3-dimensional space and in which multiple storage capacitors/storage node containers are received. Neither of the Examiners disagreed with this assertion during the interview.

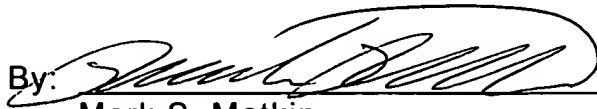
In light thereof, the undersigned requested leave to file this Supplemental Response whereby the subject amendments to claims 26 and 33 as respects "spaced" would be removed, and presented as dependent claims. Such is so accomplished by this Supplemental Response and Amendment. It was also questioned during the interview whether by such claim language a space would have to be formed between the peripheral outline and the storage node in question. The undersigned felt such was clear from the previous language, but has nevertheless added further clarifying language to the added claims pertinent thereto.

The undersigned appreciates the Examiners courtesy in agreeing to wait for the undersigned to file this response until acting on the February 19, 2003 filed response.

This application is believed to be in immediate condition for allowance, and action to that end is requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: 3-7-03

By: 
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